

**FEDERAL PUBLIC DEFENDER'S OFFICE
WESTERN DISTRICT OF NEW YORK**

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REPLY TO: BUFFALO

February 1, 2023

VIA CM-ECF

Honorable Mark W. Pedersen
United States Magistrate Judge

RE: *United States v. Joseph Amico, 22-MJ-662-MJP*

Dear Judge Pedersen:

I am an attorney with the Federal Public Defender's Office in Buffalo and I was assigned by my office to represent Joseph Amico on September 21, 2022. By this letter, the defense is requesting a **45-day adjournment** of the status conference currently set for February 6, 2023.

The parties have engaged in plea negotiations while I continue to review the extensive discovery provided by the government. It is anticipated that this matter will be resolved with a pre-indictment disposition.

As the Court may be aware, a violation of probation was filed before Hon. Laura Ward in New York State Supreme Court based solely on the charges contained in the criminal complaint before Your Honor. The next appearance on that matter is scheduled for February 27, 2023. I am in regular communication with Mr. Amico's state counsel to coordinate the dispositions of both matters.

An adjournment will allow time to sort through the foregoing matters and facilitate a global resolution for my client. I have spoken with Mr. Amico, and he agrees with this request. Additionally, the government does not object to this request.

Notwithstanding any exclusion already in effect, the defense requests that any Speedy Trial Act and/or constitutional speedy trial time between the filing of this motion and new status conference date is excludable in the interests of justice.

Very truly yours,

/s/ Frank R. Passafiume
Frank R. Passafiume
Assistant Federal Public Defender

CC: Richard A. Resnick, Assistant United States Attorney (via CM-ECF)